
From: Eastman, Susan
To: Henning, Alan
Sent: 4/18/2014 2:54:39 PM
Subject: FW: FYI... epa input on forest issue.... FW: Follow-up with [Ex. 6 - Personal Privacy] re: Impending Landslide Risk Is Being Ignored

Thanks Alan fyi

From: SEEDS Joshua [mailto:SEEDS.Joshua@deq.state.or.us]
Sent: Friday, April 18, 2014 9:33 AM
To: Eastman, Susan; STEWART Sheree
Subject: RE: FYI... epa input on forest issue.... FW: Follow-up with [Ex. 6 - Personal Privacy] re: Impending Landslide Risk Is Being Ignored

Thank you, Susan. I have been copied on [Ex. 6 - Personal Privacy] emails and have communicated with her in the past. Alan states the situation with regard to Oregon law quite well. We share many of [Ex. 6 - Personal Privacy] concerns and are working on them to the extent our legal authority allows. It's not a very satisfying answer, but there it is. Thanks for keeping us in the loop.

Josh

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From: Eastman, Susan [mailto:Eastman.Susan@epa.gov]
Sent: Friday, April 18, 2014 8:44 AM
To: STEWART Sheree; SEEDS Joshua
Subject: FYI... epa input on forest issue.... FW: Follow-up with [Ex. 6 - Personal Privacy] re: Impending Landslide Risk Is Being Ignored

Hi Sheree, Wanted to keep you and Josh in loop re Florence area.

From: Henning, Alan
Sent: Thursday, April 17, 2014 4:05 PM
To: Eastman, Susan; Kubo, Teresa; Opalski, Dan
Cc: Croxton, Dave
Subject: RE: Follow-up with [Ex. 6 - Personal Privacy] re: Impending Landslide Risk Is Being Ignored

Sue,

I don't have a problem with you sharing this with Sheree. In fact, in my write-up, I should have mentioned that [Ex. 6 - Personal Privacy] was also very concerned with the harvesting impacts to their source water for their drinking water system, and the possible impacts to the sole source aquifer in Florence.

Alan

From: Eastman, Susan

Sent: Thursday, April 17, 2014 1:38 PM
To: Henning, Alan; Kubo, Teresa; Opalski, Dan
Cc: Croxton, Dave
Subject: RE: Follow-up with [Ex. 6 - Personal Privacy] re: Impending Landslide Risk Is Being Ignored

Does anyone see a problem with me sharing this with Sheree Stewart ODEQ Source Water Protection. We briefly touched on forestry in our call yesterday and she noted that citizens are starting to realize they must be communicating with their elected officials because calling state or federal agencies is often not effective in view of the limitations of our authorities (or lack thereof). Her and her coworker Josh Seeds are very aware of the situation in Florence.

Side note... in Idaho Source Water Protection program staff put on workshops and try to educate the public and local authorities how to develop and pass local ordinances to protect drinking water sources.

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SDWA Tribal Set Aside, CWA Indian Set Aside, Sole Source Aquifer Program, Source Water Protection, Idaho GW 106

From: Henning, Alan
Sent: Thursday, April 17, 2014 1:16 PM
To: Kubo, Teresa; Opalski, Dan; Eastman, Susan
Cc: Croxton, Dave
Subject: Follow-up with [Ex. 6 - Personal Privacy] re: Impending Landslide Risk Is Being Ignored

Teresa, Dan and Susan:

I wanted to let you know that I had a very lengthy conversation with [Ex. 6 - Personal Privacy] late Friday afternoon, 4/11, to better understand her complaint and to share with her EPA's role in the site-specific implementation of the Oregon Department of Forestry's rules. Prior to my conversation with [Ex. 6 - Personal Privacy] I had a lengthy conversation with Dave Waltz, DEQ's Basin Coordinator for the Mid-Coast Basin which includes the property in question.

The property in question is an 80 acre parcel of land of which approximately 55 acres were harvested. It is owned by an individual from California and probably would be considered a small woodland parcel. It is located primarily east of the Collard Lake Heights residential development where the [Ex. 5 - Personal Privacy]

[Ex. 6 - Personal Privacy] Mr. Waltz provided me site maps, the ODF's Geotech report, and other site related documents. The site contains a mixture of slopes from 30% up, some of which are quite steep. (Dan, this is contrary to my initial understanding and what I initially shared with you. Based on pictures of the site that [Ex. 6 - Personal Privacy] provided DEQ, the slopes didn't appear to be that steep.) The most easterly piece of the 80 acre parcel crests the slope of the watershed and extends into the adjacent watershed.

ODF did complete a "high-landslide hazard location" (HLHL) evaluation of the site, however it appears that the evaluation was conducted after most of the site was harvested. ODF conducts HLHL evaluations on sites to restrict harvest activities in areas that may create landslide risks to public health (loss of life or property). These sites have to be identified by the applicant/owner in the proposed harvest plan/permit application. Land sat maps are used to help identify these sites during the application process. Restrictions from the HLHL evaluations are not applied where there are no public health risks associated with high risk landslide slopes. In other words, ODF's HLHL evaluations only focus on the potential high risk landslide slopes where a public health concern exists. The evaluation does not focus on all of the high risk landslide slopes on a site. (This is one of the key missing management measures identified in the NOAA/EPA proposed decision to disapprove Oregon's Coastal Non-point Pollution Control Program (CZARA decision). NOAA/EPA's position is that management measures for potential

high-risk landslide areas should also be protective of water resources.) ODF's evaluation concluded that there were no HLHL sites that were part of this harvest. Timber was harvested from steep slopes on this parcel but those sites did not represent a human health risk or a risk to property.

Based on DEQ's records, [Ex. 6 - Personal Privacy] complaints to ODF and DEQ began when the forest harvesting actually began early in 2013. In my conversation with [Ex. 6 - Personal Privacy], her greatest concerns now are with the post harvest activities, i.e., the smoke from the slash burning, the application of the herbicides, and the potential landslides from steep slopes left without vegetation. She explained, in great detail, the impacts that the post harvest activities (smoke and pesticide drift) have had on her family.

I explained EPA's role on Oregon forestry issues and how ODF is the appropriate entity for addressing these issues. (wasn't much comfort) I also discussed our current involvement on forestry related activities as it pertains to the CZARA decision and our role in the Triangle Lake investigation. [Ex. 6 - Personal Privacy] was aware of both and did submit comments on the CZARA decision. I did send her a copy of our proposed CZARA decision document and committed to notifying her when the Triangle Lake study resumed. She has my contact information.

Let me know if you have any questions.

Alan